

REMARKS

Claims 1-3, 5-10, 12-15, and 17-19 stand rejected. Claims 1, 9, 14, and 19 are amended. Claims 1-3, 5-10, 12-15, and 17-19 remain pending in the application.

Support for the amendments to claims 1, 9, 14, and 19 may be found in Applicant's specification at least in paragraph [0044]. Entry of the amendments is respectfully requested.

Telephone Interview

Applicant conducted a telephone interview with the Examiner on November 12, 2009 in which the above claim amendments were discussed. Applicant appreciates the Examiner's participation in this call, and Applicant understands that the Examiner agrees that the above claim amendments will overcome the current claim rejections. Applicant reiterates below various distinctions of the current claims over the cited art.

Rejections Under 35 U.S.C. § 103

Claims 1-3, 5-10, 12-15, and 17-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Teegan et al. (U.S. Patent No. 6,748,555, hereinafter "Teegan"), in view of Suresh (U.S. Patent No. 7,143,396), and further in view of Niewiadomski et al. (U.S. Patent No. 6,996,808, hereinafter "Niewiadomski"). Applicant respectfully traverses the rejection in light of the following remarks.

To establish a *prima facie* case of obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. Applicant respectfully submits that the cited references, taken individually or in combination, do not teach the combinations of features as recited in the claims.

Claim 1 recites a combination of features including, *inter alia*, “executing one of the alternative implementations of the standard programming functions inside an application process of one of the plurality of applications instead of executing the implementation program code of the corresponding standard programming function, wherein the executed one of the alternative implementations of the standard programming functions replaces functionality of the corresponding standard programming function.” This combination is not taught by the cited references, taken individually or in combination.

Niewiadomski, for example, discloses a system and method for instrumenting an executable file by replacing an original function with a user-supplied function (see, e.g., Abstract). When the user-supplied function is executed, it invokes the original function (see, e.g., Abstract; col. 13, lines 23-29). Therefore, Niewiadomski does not teach or suggest executing one of the alternative implementations of the standard programming functions inside an application process of one of the plurality of applications instead of executing the implementation program code of the corresponding standard programming function, wherein the executed one of the alternative implementations of the standard programming functions replaces functionality of the corresponding standard programming function.

For at least these reasons, Applicant respectfully submits that independent claims 1, 9, 14, and 19 are patentably distinct over the cited references. The respective dependent claims are believed to be patentably distinct at least due to their dependence on the independent claims. Because the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time. Accordingly, Applicant respectfully requests withdrawal of the § 103(a) rejections.

CONCLUSION

In light of the foregoing amendments and remarks, Applicants submit that all pending claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. If a phone interview would speed allowance of any pending claims, such is requested at the Examiner's convenience.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5760-20100/BNK.

Respectfully submitted,



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